

**IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF TEXAS  
SHERMAN DIVISION**

**THE DIAMOND CONSORTIUM, INC.  
D/B/A THE DIAMOND DOCTOR, and  
DAVID BLANK**

*Plaintiffs,*

VS.

**BRIAN MANOOKIAN, BRIAN CUMMINGS, CUMMINGS MANOOKIAN, PLC, MARK HAMMERVOLD, and HAMMERVOLD, PLC,**

*Defendants,*

§

**Civil Action No. 4:16-CV-94**

## SECOND SUPPLEMENT TO PLAINTIFFS' MOTION IN LIMINE WITH AUTHORITIES

TO THE HONORABLE UNITED STATES DISTRICT JUDGE AMOS L. MAZZANT:

COME NOW The Diamond Consortium, Inc. d/b/a The Diamond Doctor and David Blank, Plaintiffs in the above styled and numbered cause, and tender the following Second Supplement to their Motion in Limine with Authorities:

## I.

In addition to the items addressed in Plaintiffs' (initial) Motion in Limine with Authorities Plaintiffs move that Defendants, counsel for Defendants, and through such counsel any and all witnesses called by Defendants be instructed by this Honorable Court to refrain from introducing any evidence or making any comment, argument, inference, suggestion, inquiry, implication, mention, interrogation, or illusion to, directly or indirectly, in any manner or matter whatsoever in

the hearing and presence of the jury at any time during the trial of this cause concerning the following additional matter:

1. Any statements about, comments about, testimony about, or references to any alleged parking/traffic or other misdemeanor citations assessed against any attorneys representing Plaintiffs in this case, and any statements about, comments about, testimony about, or references to the fact that these citations mean that any of Plaintiffs' attorneys are "convicted criminals". Fed. R. Evid. Rules 401-403.

Plaintiffs reserve the right to supplement this Motion.

Respectfully submitted,

**STECKLER GRESHAM COCHRAN**

/s/ Howard J. Klatsky

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**ATTORNEYS FOR PLAINTIFF DIAMOND  
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DOCTOR**

**CERTIFICATE OF CONFERENCE**

This is to certify that the foregoing document was discussed in accordance with Local Rule CV-7(h) amongst counsel on August 7, 2017. During the course of that conference, counsel indicated that he was opposed to this Supplement but agreed to continue working towards a resolution.

/s/ Howard J. Klatsky

**HOWARD J. KLATSKY**

**CERTIFICATE OF SERVICE**

Pursuant to Fed. R. Civ. P. 5(b), I hereby certify that on the 8<sup>th</sup> day of August, 2017, I served a true and correct copy of the foregoing instrument has been mailed, telecopied or hand delivered to all attorneys of record in this cause of action as follows.

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